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MEASURE 1

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(Placed on Ballot by City Council)

**CITY OF RANCHO MIRAGE
OFFICE OF THE CITY CLERK**

IMPARTIAL ANALYSIS

If Measure 1 passes, it will prevent future Rancho Mirage City Councils from permitting any portion of CV Link to run through Rancho Mirage (other than on Ramon Road) unless first approved by a majority of Rancho Mirage voters. In addition, if Measure 1 passes, it will prevent the use of any streets under the City's jurisdiction for "Low-Speed Electric Vehicles" (LSEVs) and/or "Neighborhood Electric Vehicles" (NEVs), without prior voter approval. The California Vehicle Code provides that an LSEV is not a golf cart, with some limited exceptions, and that LSEVs are also known as a NEVs.

The City Council adopted Ordinance No. 1099, which prohibits NEVs and LSEVs in certain areas and on certain streets within Rancho Mirage which include: Bob Hope Drive; Country Club Drive; Da Vall Drive; Dinah Shore Drive; Frank Sinatra Drive; Gerald Ford Drive; Highway 111; Magnesia Falls Drive; Monterey Avenue; Park View Drive; Plumley Road; and others.

The Vehicle Code provides that a city by ordinance may restrict or prohibit the use of NEVs/LSEVs within its jurisdiction. The Vehicle Code defines an NEV/LSEV as a motor vehicle that: (1) has four wheels; (2) can attain a speed, in one mile, of more than 20 mph and not more than 25 mph hour, on a paved level surface; and (3) has a gross vehicle weight of less than 3,000 pounds. The Vehicle Code further provides that an NEV/LSEV is subject to all the provisions applicable to a motor vehicle, and the California Streets and Highways Code requires the driver of an NEV/LSEV to possess a valid California driver's license and carry proof of insurance as required of drivers of standard motor vehicles. Per the Vehicle Code, the operator of an NEV/LSEV is prohibited from operating an NEV/LSEV on any roadway with a speed limit in excess of 35 mph.

Ordinance No. 1099 also prohibits any "Neighborhood Electric Vehicle Plan" established pursuant to California Streets & Highways Code Section 1962.2 from including any area within Rancho Mirage unless the inclusion of such area is first approved by an ordinance of the City of Rancho Mirage. Ordinance No. 1099 also prohibits any portion of CV Link or any similar pathway from including any area within Rancho Mirage unless such inclusion is first approved by an ordinance of the City of Rancho Mirage. The March 2015 CV Link Master Plan indicates that CVAG plans to complete a "Neighborhood Electric Vehicle (NEV) Plan," which will consist of 211 miles of various NEV paths, lanes and routes throughout multiple jurisdictions within the Coachella Valley, including Rancho Mirage. If Measure 1 is approved, it will prevent Rancho Mirage from being included in such plan without first obtaining approval of the plan by the voters of Rancho Mirage.

Steven B. Quintanilla, City Attorney